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9   UNITED STATES DISTRICT COURT

10   NORTHERN DISTRICT OF CALIFORNIA

11   SAN JOSE DIVISION

12

13   IN RE: HIGH-TECH EMPLOYEE   Master Docket No. 11-CV-2509-LHK
     ANTITRUST LITIGATION
14   **STIPULATION RE: PRODUCTION
                                            FORMAT OF ELECTRONICALLY
15   STORED INFORMATION**

16   THIS DOCUMENTS RELATES TO:

17   ALL ACTIONS

18

19   1.   General Specifications

20   (a)   This Stipulation represents the agreement among the parties on technical

21   specifications regarding production of Electronically Stored Information ("ESI").

22   The parties reserve for future discussion substantive issues that might arise related

23   to the production of ESI. This Stipulation does not concern production of database

24   information.

25   (b)   Documents will be produced as TIFF or PDF files (with extracted text or OCR and

26   metadata when available), unless otherwise specified below. Aside from the

27   document categories below, the parties will meet and confer to discuss any

28
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1   requests for the production of documents in native format on a case-by-case basis

2   where good cause exists for such request.

3   (c)   Metadata will include fields described below.

4   (d)   Image cross reference files will function with Opticon viewer.

5   (e)   Media volume names will have the producing party's internal tracking ID.

6   (f)   A party may produce a single copy of a responsive document and a party may de-

7   duplicate responsive ESI (for example, based on MD5 or SHA-1 hash values at the

8   document level) across custodians, insofar as absolutely no non-duplicative

9   information is lost as a result. For emails with attachments, the hash value is

10   generated based on the parent/child document grouping. A party may also de-

11   duplicate "near-duplicate" email threads as follows: in an email thread, only the

12   final-in-time document need be produced, if and only if all previous emails (and

13   all other information, such as authors, recipients, time sent and received, etc.) in

14   the thread are contained within the final message. In addition, only a single copy

15   of an email need be produced even where it was sent to multiple recipients, if and

16   only if all information contained in other copies (such as time sent and received,

17   authors, recipients, etc.) is contained within the single copy. Where a prior email

18   contains an attachment, that email and attachment shall not be removed as a "near-

19   duplicate."

20   (g)   Hardcopy Documents – The parties may produce, at the producing party's option,

21   hardcopy documents in hardcopy, TIFF, or PDF format. If a document that was

22   originally generated by a software application (*e.g.*, Microsoft Word or Microsoft

23   Outlook) is collected from a custodian in hard copy form, the producing party has

24   no obligation to locate and produce the electronic file from which the hard copy

25   was created. However, if the electronic file would otherwise be gathered as part of

26   the producing party's collection, both the electronic file and the hard copy shall be

27   produced.

28

STIPULATION RE: PRODUCTION FORMAT OF ELECTRONICALLY STORED INFORMATION

2.   Output Files

    (a)   Extracted Text: Control List (.lst or equivalent)

    (b)   Image Index Files: Opticon (.opt)

    (c)   Metadata Files: Concordance (.dat)

3.   Output Folder Structure

    (a)   The producing party will manually create the top level directory prior to production.

    (b)   TIFF or PDF and text files for a single document will always be in the same folder.

Directory Structure	Standard with Padding
<VFID-Media#>.dat,<VFID-Media#>.lfp	XXX01-01.dat, XXX01-01.lfp
<VFID-Media#>	XXX01-01
| | Folder# (01)	| | 01
| |__BatesNumber.tif or .pdf	| |__EXAMPLE00000001.tif or .pdf
| | BatesNumber.tif or .pdf	| | EXAMPLE00000001.txt
| |__BatesNumber.tif or .pdf	| |__EXAMPLE00000002.tif or .pdf
| | Folder# (02)	| | 02
| |__BatesNumber.tif or .pdf	| |__EXAMPLE00000501.tif or .pdf
| | BatesNumber.tif or .pdf	| | EXAMPLE00000501.txt
| |__BatesNumber.tif	| |__EXAMPLE00000502.tif or .pdf

4.   General Configuration

    (a)   Documents will not be broken across multiple PDF files or Media folders.

    (b)   Produce TIFF files in single page format at 300 DPI or PDF files in multiple page format at 300 DPI.

5.   Text Files (.txt)

    (a)   Produce text files or OCR on a per-document basis.

    (b)   Name text files according to the corresponding first page (BegDoc#) of the document.

    (c)   Do not truncate.

6.   Native Files

      (a)   Absent a showing that a particular file, or category of files, is not reasonably accessible, the parties will produce Microsoft Excel files, Microsoft PowerPoint files, and media files in native format with a link in the NativeLink field, along with extracted text or OCR and applicable metadata fields set forth in Section 8. A TIFF or PDF placeholder indicating the document was produced in native format shall accompany the database record.

      (b)   Non-Microsoft files that are the functional equivalents to Microsoft Excel and Microsoft PowerPoint files (such as Apple Numbers and Apple Keynote files) shall be produced in TIFF or PDF format in the first instance, with extracted text or OCR and applicable metadata. Native format versions of these files shall be produced upon individual identification and request if available.

      (c)   To the extent Microsoft Excel files, Microsoft PowerPoint files, or their functional equivalents require redaction, the producing party will produce TIFF or PDF images with OCR and metadata when available, in lieu of a native file and extracted text.

      (d)   To the extent a document is produced both in native format and as a TIFF or PDF, the parties will use the TIFF or PDF version as an exhibit in depositions, briefs, hearings, or at trial. The parties will meet and confer to discuss any requests for the use of documents in native format on a case-by-case basis.

7.   Family Range Configuration

      (a)   Family structure will be maintained in productions and identified by the fields in Part 8.

8.   Use Concordance Metadata Load Files (.dat)

      (a)   Load files will contain one line per document.

      (b)   Load files will have the field names as the as first row of data.

      (c)   Concordance metadata load files will include the following:

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Field Name	Description	(Comments)	Field Type
BegBates (BegDoc#)	StartBates Production number		Limited Text
EndBates (EndDoc#)	Endbates Production number	Include prefix and padding	Limited Text
BegAttach	Beginning unique identification number for any attachment or range of attachments	Include prefix and padding	Limited Text
EndAttach	Ending unique identification number for any attachment or range of attachments	Include prefix and padding	Limited Text
Source	Custodian or Source of document		Full Text
MediaSource (DocumentType)	File Type	Email, File, etc	Limited Text
DateSent	Date Email was Sent (MMDDYYYY)	Applies to emails	Date
DateCreated	Date (MMDDYYYY) Created, if any, as found in native file when collected	Will be blank for email	Date
FileName	File name of the file	Will be blank for email	Full Text
FileSize	File size (as megabytes)		Limited Text
Doc Ext (Extension)	The document extension of the document	Will be blank if 0	Limited Text
Subject	Subject line of Email	Will be blank for Files	Full Text
From	Sender	Will be blank for Files	Full Text
To	Recipient [Delimited list]	Include multivalue Will be blank for Files	Full Text
Cc	Cc [Delimited list]	Include multivalue Will be blank for Files	Full Text
Bcc	Bcc [Delimited list]	Include multivalue Will be blank for Files	Full Text
Author	Information contained in the author field, if any	Will be blank for email	Full Text

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Field Name	Description	(Comments)	Field Type
DocTitle Filename	Information contained in the title field, if any		Full Text
Confidentiality	Confidentiality designation of the document	Include multivalue	Full Text
ORIGINALPATH	Data's source path information; where file was stored on custodian's hard drive or network resource	Will be blank for email	Full Text
[included in ORIGINALPATH]	Email folder path (sample: Inbox\active) [Blank for files]		Full Text
Redacted	Indicates if document contains redaction	Include multivalue	Full Text
NATIVE LINK	Native File Link for MS Excel and MS PowerPoint documents produced in native format		

9. Metadata Load File Delimiters

(a) If field encapsulators or separators are found in the metadata they will be replaced

with another character or space.

Type	Character/Format	Replace with	Notes
Field Encapsulate	Ctrl Character "þ" (Decimal 254)	Space " "(Decimal 032)	
Field Separator	Ctrl Character "□"(Decimal 020)	Space " "(Decimal 032)	
Multi-value Delimiter	Semi Colon "; " (Decimal 59 space)	N/A	
New Line Indicator	Registered Symbol "®" (Decimal 174)	N/A	Text line separator, used in TextInfo only.
Dates are stored	MMDDYYYY	N/A	

10. OCR Index Files (.lst or equivalent)

(a) Follow the example above for format and delimiters.

(b) **Bold** is constant, *Italics* are variable, and pay attention to the use of commas and

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1   semicolons.

2   (c)   Each file will contain one line per TIFF or PDF.

3   (d)   Format: BatesPage**,**\TextPath\TextFileName**.txt**

4   (e)   Example: ABC00100000,\02501-01\01\ABC00100000.txt

5   (f)   Definition of Components:

BatesPage	BatesPage value from metadata file.
Folder#	The number of the folder containing the TIFF or PDF.
TextFileName	Text files will be named with a bates number.txt (Bates Padding/Prefix Configuration Section).
NewDocIndicator	Determine New Document Indicator Values.
	Y – if the TIFF or PDF is the first page of any document.
	BLANK – for all other pages.
PageCount	Number of pages in the document.

11.   Opticon Image Index File

(a)   Follow the example above for format and delimiters.

(i)   Format:

*BatesPage***,***VolumeName***,***TIFFPath**TIFFFileName***.tif,***NewDocIndicator***,,,***PageCount* or
*BatesPage***,***VolumeName***,***PDFPath**PDFFileName***.pdf,***NewDocIndicator***,,,***PageCount*

(ii)   Example:

xxx00100000,VolName002,yyy01-1\1\xxx00100000.tif,Y,,,4

(iii)   Definition of Components:

BatesPage	BatesPage value from metadata file.
VolumeName	The volume name of the Media containing the TIFFs or PDFs.
TIFFPath or PDFPath	VFID#-Media#\Folder#
VFID#	The number of the Virtual Folder that the TIFF or PDF originated from
Media#	The number of the Media containing the TIFF or PDF
Folder#	The number of the folder containing the TIFF or PDF
TIFFFileName or PDFFileName	TIFFs or PDFs will be named with a bates number.tif or .pdf (Bates Padding/Prefix Configuration Section)

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NewDocIndicator	Determine New Document Indicator Values
	Y – if the TIFF or PDF is the first page of any document.
	BLANK – for all other pages.
PageCount	Number of pages in the document

IT IS HEREBY STIPULATED:

Dated: March 29, 2012   LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

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                  Dean M. Harvey

Interim Lead Counsel for Plaintiff Class

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Dated: March 29, 2012   JONES DAY

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Attorneys for Defendant Adobe Systems Inc.

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                                Attorneys for Defendant Intel Corp.

Dated: March 29, 2012   JONES DAY

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Dated: March 29, 2012   COVINGTON & BURLING LLP

                                By: /s/ Emily Johnson Henn
                                             Emily Johnson Henn

                                Attorneys for Defendant Pixar

                                Filer's Attestation

     Pursuant to General Order No. 45, § X(B), I attest under penalty of perjury that

concurrence in the filing of the document has been obtained from all the signatories.

Dated: March 30, 2012   By: /s/ Christina J. Brown
                                             Christina J. Brown

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